

CP:TJS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M 11-1092

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UNITED STATES OF AMERICA

C O M P L A I N T

-against-

(T. 18, U.S.C., § 1709)

MARK HOLDER,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

ANDREW DAWSON, being duly sworn, deposes and states that he is a Special Agent for the United States Postal Service, Office of the Inspector General, duly appointed according to law and acting as such.

Upon information and belief, in or about and between March 2011 and November 2011, within the Eastern District of New York, the defendant MARK HOLDER, being a Postal Service employee, did embezzle mail which came into his possession intended to be conveyed by mail and carried and delivered by any carrier, messenger, agent or other person employed by the Postal Service.

(Title 18, United States Code, Section 1709.)

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I have been a Special Agent with the United States Postal Service, Office of the Inspector General ("USPS-OIG") for approximately 7 months. My information in this case comes from my personal involvement in this investigation, conversations with other USPS-OIG Special Agents involved in the investigation and my training and experience.

2. In or about mid-October 2011, through Postal databases I learned that there were high loss rates for GameFly parcels at the South Shore Annex/Prince's Bay Station. Postal databases showed particularly high losses on the defendant MARK HOLDER's postal route.

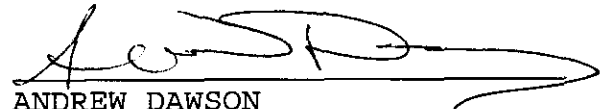
3. On November 3, 2011, USPS-OIG agents put a test GameFly parcel into the mail set for delivery by HOLDER. The parcel was equipped with a triggering device that would alert agents if the parcel was open. Agents also conducted surveillance of HOLDER.

4. On November 3, 2011, after HOLDER finished his route and was pulling back into the Postal Station, the triggering device was activated indicating that the package had been opened. Agents approached HOLDER's postal vehicle and found HOLDER and the test GameFly package, which had been opened.

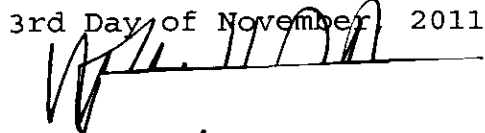
5. The defendant was placed under arrest and provided his Miranda rights. HOLDER waived his rights and agreed to speak to law enforcement officers. He then indicated, in sum and

substance and in part, that since March 2011 he had been removing videogames from GameFly packages not addressed to him and selling the videogames.

WHEREFORE, your deponent respectfully that the defendant MARK HOLDER, so that he may be dealt with according to law.


ANDREW DAWSON
Special Agent
Office of the Inspector General
United States Postal Service

Sworn to before me this
3rd Day of November 2011



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